

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION**

GARY T. SINGLETON,)	
)	
Petitioner,)	
)	
vs.)	Case No. CV 07-S-368-NE
)	
GRANTT CULLIVER, Warden;)	
and THE ATTORNEY GENERAL)	
OF THE STATE OF ALABAMA,)	
)	
Respondents.)	

ORDER OF DISMISSAL

The magistrate judge filed his report and recommendation on October 9, 2007, recommending that this petition for writ of *habeas corpus* be dismissed as time barred pursuant to 28 U.S.C. 2244(d). Petitioner filed his objections to the report and recommendation on October 17, 2007.

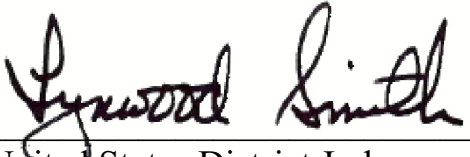
Having now carefully reviewed and considered *de novo* all materials in the court file, including the report and recommendation and the objections thereto, the court finds that the petitioner's objections are meritless and are OVERRULED. The court finds also that the report is due to be, and it hereby is, ADOPTED, and the recommendation is ACCEPTED.

Accordingly, the court finds that the petition for writ of *habeas corpus* was not timely filed within the one-year limitation of § 2244(d), and it is due to be, and hereby

is, DISMISSED WITH PREJUDICE. The clerk is directed to close this file.

The Clerk is DIRECTED to mail a copy of the foregoing to the petitioner.

DONE this 29th day of October, 2007.



United States District Judge